

1 Let us not clutter up the Constitution with
2 unnecessary language.

3 THE CHAIRMAN: Delegate Kiefer.

4 DELEGATE KIEFER: Mr. Chairman and ladies and
5 gentlemen of the Committee, I rise to oppose this amend-
6 ment, which would strike any reference completely to
7 sovereign immunity.

8 This is a matter that is not in the declaration
9 of rights and we don't intend it to be there. This is
10 part of what we had envisioned as I explained to you
11 earlier, a statement of various principles concerning the
12 government and how it operates.

13 One of these concepts and it has been stated in
14 many other state constitutions, allowing or recognizing
15 the necessity of modifying the basic concept that the
16 sovereign can do no wrong and cannot be sued.

17 There are three states, I believe, that strictly
18 forbid any such suits. The modern tendency is to do
19 otherwise, there are now 2 states by Constitutional
20 who statements recognize this principle. Some of them leave
21 it to the legislature to spell out the areas in which this